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COMMISSION
CLERK

DATE: August 11, 2004

TO: Docket File

FROM: Jeff Bates (Division of Competitive Markets and Enforcement) *JB*
Victor McKay (Office of the General Counsel) *VS M 8/12* **SAS**

RE: Docket No. 040429-TP – Notice of adoption, with modifications, of existing interconnection, unbundling, resale, and collocation agreement between BellSouth Telecommunications, Inc. and The Other Phone Company, Inc. d/b/a Talk America by Covista, Inc.

By letter received May 7, 2004, BellSouth Telecommunications, Inc. filed a request for approval of adoption, with modifications, of existing interconnection, unbundling, resale, and collocation agreement between BellSouth and The Other Phone Company, Inc. d/b/a Talk America which was approved by the Commission in Docket No. 020713-TP. Covista, Inc. is adopting the interconnection, unbundling, resale, and collocation agreement approved by the Commission pursuant to Section 252(i) of the Telecommunications Act of 1996.

Under the requirements of 47 U.S.C. § 252(e), negotiated agreements must be submitted to the state commission for approval. Section 252(i) requires that a local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved by the state commission to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement in its entirety.

Staff reviewed the agreement in this Docket on July 27, 2004. The filing met the criteria outlined in Section 2.07.C.5.b of the Administrative Procedures Manual in that it complies with Section 252(i) of the Act. Accordingly, with this Memorandum, the docket is hereby closed.

*OK to close
8/11/04 hr*

CC: Division of the Commission Clerk and Administrative Services (H. Wang)